

From: Moran, Gloria
To: ["John Edgcomb"](#)
Cc: [Tzhone, Stephen](#); [Sanchez, Carlos](#)
Subject: Arkwood Site - FOIA Charges - Interim Response
Date: Monday, December 09, 2013 9:37:00 AM

Mr. Edgcomb:

As discussed in our last phone conversation, I am addressing in a preliminary manner the issue of FOIA charges in connection with the requests for Arkwood site documents raised in your October 29, 2013 and November 20, 2013 letters. I will follow up this email with a formal response letter to you. McKesson Corp. was charged reimbursable costs associated with the 1992 Corrected Consent Decree. In the August 29, 2013 demand/billing letter to McKesson Corp. from the EPA for the period March 1, 2012 through February 28, 2013 for \$101,484.41, \$25,400.80 was assessed for the Enforcement Support Services (ESS) charges by Toeorek Associates, Inc. According to the August 29, 2013 letter, these charges:

“relate to records management of the Arkwood, Inc. Site files. The records management includes scanning, imaging, indexing, quality assurance/quality control, administrative record, and/or other related tasks.”

These site-specific ESS charges are assessed at Superfund sites because of the function of converting paper documents to an electronic format and any associated functions. These ESS charges do not include charges related to FOIA work. While Toeorek Associate, Inc. performs both records management functions and FOIA work, oversight by responsible EPA personnel and contractor documentation ensures that that the contractor is monitored and that the contractor bills according to the work performed. Charges related to search and review for FOIA requests for Arkwood site documents or any other Superfund site documents are sought from the requester. Records management work related to the Arkwood site is billed to McKesson. For the period March 1, 2012 through February 28, 2013, the FOIA charges sought from requesters of documents involving the Arkwood site is specifically tracked and delineated. Because these specific records

management tracking documents and FOIA tracking documents are claimed Confidential Business Information by Toeroek Associates Inc., I am presently working with responsible EPA personnel to obtain releasable information that can be shared at our meeting on Wednesday, December 11, 2013.

Also, as I discussed with you, the survey map of the metes and bounds that may have been attached to the 1988 Consent Decree could not be located in the Region's files. The survey map that is attached to the draft Corrected Deed circulated to all of the stakeholders showing the metes and bounds for approximately 18 acres specified in the 1988 Consent Decree was developed this year by EPA's contractors. The 2009 Survey Map consisting of approximately 30 acres exceeds the area of the affected property at the Arkwood site. As you mentioned, the EPA would be interested in seeing an overlay of the affected area on the 2009 survey map.

Thank you,

Gloria Moran

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